

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas  
2 81st General Assembly  
3 Regular Session, 1997

# A Bill

HOUSE BILL 2259

4  
5 By: Representative Bisbee  
6  
7

## For An Act To Be Entitled

8  
9 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED § 6-11-101 TO  
10 RECONSTITUTE THE STATE BOARD OF VOCATIONAL EDUCATION; TO  
11 ESTABLISH THE WORKFORCE DEVELOPMENT COMMISSION; TO DECLARE  
12 AN EMERGENCY; AND FOR OTHER PURPOSES."  
13

## Subtitle

14  
15 "TO RECONSTITUTE THE STATE BOARD OF  
16 VOCATIONAL EDUCATION AND TO ESTABLISH  
17 THE WORKFORCE DEVELOPMENT COMMISSION."  
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code Annotated § 6-11-101 is amended to read as  
22 follows:

23 "6-11-101. Members.

24 (a) ~~The State Board of Education and the State Board of Vocational~~  
25 ~~Education each~~ shall be composed of ~~the same~~ twelve (12) members, two (2) to  
26 be selected from each congressional district of the state and the remainder to  
27 be appointed at large from within the state.

28 (b) The State Board of Vocational, Technical and Adult Education shall  
29 be composed of seven (7) members, one (1) member from each congressional  
30 district and three (3) members from the state at large. The members shall be  
31 selected from among parents, business, industry, labor, and persons with  
32 disabilities and shall be representative of the diversity of the citizens of  
33 the state.

34 ~~\_\_\_\_\_ (b)(c) The term of office of a member of the State Board of Education~~  
35 ~~and the State Board of Vocational Education shall be six (6) years.~~

36 (d) The term of office of a member of the State Board of Vocational,

1 Technical and Adult Education shall be seven (7) years.

2 (e) No person shall be a member of both boards at the same time.

3 (f) All references in the laws of this state to the State Board of  
 4 Vocational Education shall be construed to refer to the State Board of  
 5 Vocational, Technical and Adult Education.

6 ~~\_\_\_\_\_~~ (g) The membership of the boards shall be reflective of the  
 7 diversity in general education and vocational education.

8 ~~\_\_\_\_\_~~ (d) (h) (1) No person may serve as a member of the boards unless he is a  
 9 qualified elector and is a person of high moral standards and recognized  
 10 ability.

11 (2) No candidate for public office, holder of a public office in  
 12 the state, schoolteacher, the Director of General Education, the Director of  
 13 Vocational and Technical Education, county or city superintendent, employee of  
 14 a state-supported college or university, or member of any board of trustees of  
 15 any state institution of higher learning shall serve as a member of the State  
 16 Board of Education and the State Board of Vocational, Technical and Adult  
 17 Education.

18 ~~\_\_\_\_\_~~ (e) (i) The members of the State Board of Education and the State Board  
 19 of Vocational, Technical and Adult Education shall be appointed by the  
 20 Governor, subject to the confirmation of the Senate, and shall take the oath  
 21 of office prescribed by the Constitution for officers.

22 ~~\_\_\_\_\_~~ (f) (j) (1) When a vacancy occurs in the membership of the boards, the  
 23 Governor shall appoint a successor to the person who has vacated the  
 24 membership, who will serve the unexpired term of the person succeeded, subject  
 25 to all other provisions of this act.

26 (2) Resignation, removal from the district from which he is  
 27 appointed, disqualification, incapacitation from mental or physical disability  
 28 or otherwise, or change in status from the eligibility requirements for  
 29 membership on the boards shall automatically create a vacancy in the  
 30 membership held by a member of the boards, and no such member shall thereafter  
 31 exercise any of the functions of membership on the boards even though his  
 32 successor has not been appointed.

33 ~~\_\_\_\_\_~~ (g) (k) (1) Members of the boards shall be subject to removal from office  
 34 by the Governor when the actions or conditions of a member shall be considered  
 35 as sufficient cause for removal.

36 (2) However, before a member may be removed for cause, this cause

1 must have been accepted as true, good, and sufficient by a majority written  
 2 vote of all members of the boards after a formal hearing at a regular or  
 3 special session of the boards.

4 ~~\_\_\_\_\_ (h)(1)~~ The members of the State Board of Education and the State Board  
 5 of Vocational, Technical and Adult Education shall serve without remuneration  
 6 other than:

7 (1) Their actual expenses while attending regular and special  
 8 meetings of the boards; and

9 (2) A per diem allowance when in attendance at regular or special  
 10 meetings of the boards.

11 ~~\_\_\_\_\_ (i)(1) The members of the State Board of Education and the~~  
 12 ~~State Board of Vocational Education shall be cognizant at all times of~~  
 13 ~~educational issues that cross the lines of authority and responsibility of the~~  
 14 ~~General Education Division and the Vocational and Technical Education~~  
 15 ~~Division.~~

16 ~~\_\_\_\_\_ (2) Such issues shall be brought to the attention of~~  
 17 ~~the chairman so that he may schedule the issue for action at a meeting of~~  
 18 ~~either board, but with the Director of General Education and the Director of~~  
 19 ~~Vocational and Technical Education both present at the meeting in their~~  
 20 ~~capacity as ex officio secretary of their respective boards.~~

21 ~~\_\_\_\_\_ (3) Action taken by the board regarding such issue~~  
 22 ~~shall be binding on both the General Education Division and the Vocational and~~  
 23 ~~Technical Education Division.~~

24 (m) The State Board of Vocational, Technical and Adult Education and  
 25 the State Board of Education shall coordinate their activities with regard to  
 26 secondary vocational education to ensure that academic, workplace, and  
 27 technical skills create opportunities for a strong comprehensive education  
 28 regardless of the students ultimate career choice."

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30 SECTION 2. Workforce Development Commission.

31 (a) The Workforce Development Commission shall be established to do a  
 32 comprehensive study of the states workforce development needs and  
 33 capabilities. The Commission shall be composed of eighteen (18) members as  
 34 follows: one (1) member from the House of Representatives; one (1) member  
 35 from the Senate; one president of chancellor representing two-year  
 36 institutions of higher education; one (1) president or chancellor representing

1 four-year institutions of higher education; one (1) president or director  
2 representing technical institutes; one (1) representative of adult education;  
3 one (1) representative of rehabilitation services; one (1) representative of  
4 secondary vocational education; one (1) local school district superintendent;  
5 one (1) representative of the Arkansas Industrial Development Commission; one  
6 (1) representative of the Employment Security Department; and seven (7)  
7 representatives from business, industry and organized labor. The Speaker of  
8 the House shall appoint the member from the House, and the President Pro Tem  
9 of the Senate shall appoint the member from the Senate. The governor shall  
10 appoint the chair and the remaining members of the Commission. In the event a  
11 vacancy occurs on the Commission, the vacancy will be filled by the same  
12 process as the original appointment.

13 (b) The Commission, in studying the needs and capabilities of the  
14 state, shall examine such issues as: the workforce development and adult  
15 education needs of business and industry, students, prospective employees, and  
16 workers; the connection among education, adult education, and training  
17 providers; the economic and labor market changes that will affect workforce  
18 education and training needs; and other related issues that impact the  
19 economic development and educational opportunities of Arkansas. The  
20 Commission will make recommendations concerning the most effective and  
21 efficient ways in which the state can meet the workforce education needs of  
22 Arkansas. These needs should be met in a coordinated, collaborative, and  
23 systematic manner.

24 (c) The Commission shall complete its work and report to the Governor  
25 and the General Assembly on or before January 1, 1998, and cease to exist as  
26 of January 1, 1998.

27 (d) The Commission members will be authorized to receive reimbursement  
28 for actual expenses while performing the work of the Commission in accordance  
29 with § 25-16-901 et seq.

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31 SECTION 3. All provisions of this act of a general and permanent nature  
32 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
33 Revision Commission shall incorporate the same in the Code.

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35 SECTION 4. If any provision of this act or the application thereof to  
36 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the act which can be given effect without  
2 the invalid provision or application, and to this end the provisions of this  
3 act are declared to be severable.

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5 SECTION 5. All laws and parts of laws in conflict with this act are  
6 hereby repealed.

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8 SECTION 6. EMERGENCY. It is hereby found and determined by the Eighty-  
9 First General Assembly that reconstitution of the state board involved in  
10 overseeing vocational education in this state and the formation of a workforce  
11 development commission to determine the needs and future direction of  
12 vocational education is immediately necessary and that this act provides the  
13 necessary mechanism for such actions. Therefore, an emergency is declared to  
14 exist and this act being immediately necessary for the preservation of the  
15 public peace, health and safety shall become effective on the date of its  
16 approval by the Governor. If the bill is neither approved nor vetoed by the  
17 Governor, it shall become effective on the expiration of the period of time  
18 during which the Governor may veto the bill. If the bill is vetoed by the  
19 Governor and the veto is overridden, it shall become effective on the date the  
20 last house overrides the veto.

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